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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/156,311

09/17/98

SAKAYORI

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B588-010

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TM02/1108

EXAMINER

BACKER, F

ART UNIT

PAPER NUMBER

2155

DATE MAILED:

11/08/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

**Office Action Summary**

Application No.

09/156,311

Applicant(s)

SAKAYORI ET AL.

Examiner

Firmin Backer

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 September 1998.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. § 119**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☒ None of the CERTIFIED copies of the priority documents have been:
1. ☒ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

**Attachment(s)**

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

This is in response to a letter for patent filed on September 17<sup>th</sup>, 1998 in which claims 1-59 are presented for examination. Claims 1-59 are pending in the letter.

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to adequately teach how to make and/or use the invention. The specification is enabling for a portion of the subject matter claimed but the enablement is not commensurate in scope with the claim. Specifically, the specification fails to show how the single step of establishing... of claim 1 can perform the claimed functions. Thus, it would require undue experimentation for a person having ordinary skill in the pertinent art to make and use the invention as disclosed and claimed.

A single means claim, i.e., where a means recitation does not appear in combination with another recited element of means, is subject to an undue breadth rejection under 35 U.S.C. 112, first paragraph. *In re Hyatt*, 708 F.2d 712, 714-715, 218 USPQ 195, 197 (Fed. Cir. 1983) (A single means claim which covered every conceivable means for achieving the stated purpose was held nonenabling for the scope of the claim because the specification disclosed at most only those means known to the inventor.). When claims depend on a recited property, a fact situation comparable to *Hyatt* is possible, where the claim covers every conceivable structure (means) for achieving the stated property (result) while the specification discloses at most only those known to the inventor.

3. Claims 1 is rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification. Single means claims 1 is subjected to an undue breadth rejection. See *In re Hyatt*, 218 USPQ 195 (CAFC 1983).

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 1-59 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamamoto et al (U.S. Patent No. 5,914,878).

6. As per claim 1-5, 9-15, 23, 24, 27, 28, 37, 42, 44, 46, 47, Yamamoto et al teach a part management information system (a raw material ordering system) for managing order placed and order received by shops displaced as independent work unit (see abstract, fig. 33, 34, column 1 lines 12-25) comprising display control for displaying icon/identification unit identifying order received or placed and data indicating status of order received or placed (see abstract, column 1 lines 60-2 line 26, column 4 line 31-6 line 24, 22 lines 49-23 line 60).

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7. As per claim 6, 7, Yamamoto et al teach a system wherein the managed items (added, delete and changed) include expected and order characteristic (see column 13 line 40-14 line 29).
8. As per claim 8, Yamamoto et al teach a system wherein the data is updated upon downloading.(see abstract, fig. 33, 34, column 1 lines 12-25).
9. As per claim 16, 17, Yamamoto et al teach a system wherein the reading extracts and reads only data required for the displaying the managed items display stored in the storage means (see column 22 line 15-23 line 60).
10. As per claim 18, Yamamoto et al teach a system wherein the data is the number of orders received or orders placed (see column 22 line 15-23 line 60).
11. As per claim 19, 20, Yamamoto et al teach a system wherein the period of the graph is set by an initial display and the number of days with a default value of five (see column 26 line 14-56).
12. As per claim 21, 22, 25, 26, Yamamoto et al teach a system further comprises a third and a fourth display control for switching a display angle and setting a data updated data and parts delivery date (see column 22 line 15-23 line 60).

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13. As per claim 29-32, 38-40, 43, 45, 49, 50, 54, 55, 59, Yamamoto et al teach a part management information system (a raw material ordering system) for managing order placed and order received by shops displaced as independent work unit (see abstract, fig. 33, 34, column 1 lines 12-25) comprising display control for displaying icon/identification unit identifying order received or placed, information of selected managed item and reading means for reading data indicating status of order received or placed from storage, information of selected managed item (see abstract, column 1 lines 60-2 line 26, column 4 line 31-6 line 24, 22 lines 49-23 line 60).

14. As per claim 33, 41, Yamamoto et al teach a system wherein the second display control means displays the same (see column 22 lines 49-23 line 60).

15. As per claim 34, 35, 36, 51, 52, 56, 57, Yamamoto et al teach a system the second and third display control means varies a display position and a display size on a screen (see column 26 line 14-56).

16. As per claim 48, 53, 58, Yamamoto et al teach a system wherein the managed items are display as combinations of icon for identifying orders (see column 22 lines 49-23 line 60).

### *Conclusion*

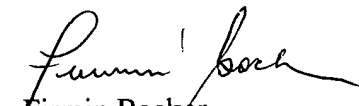
17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (5,204,821, 5,983,202, 5,720,157, 5,608,621, 5,799,289, 5,254,329).


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is 703-305-0624. The examiner can normally be reached on Mon-Thu 8:30-6:00 and every other Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sheikh Ayaz can be reached on 703-305-9648. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-9051 for regular communications and 703-305-5352 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

  
Firmin Backer  
November 5, 2000

  
ARIO ETIENNE  
PRIMARY EXAMINER